



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Shun-ichi MIYAZAKI et al.**

Art Unit: 2613

Application Number: **10/813,116**

Examiner: **Shi K. Li**

Filed: **March 31, 2004**

Confirmation Number: **3705**

For: **OPTICAL SIGNAL PROCESSING APPARATUS**

Attorney Docket Number: **042164**

Customer Number: **38834**

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

January 15, 2009

Sir:

In response to the requirement for an election of species dated December 15, 2008, applicants provisionally elect to prosecute Species I, corresponding to Fig. 9. It is believed that claims 4-6 and 11 read on the elected species and that claim 4 is generic as noted by the Examiner. The applicant reserves the right to file divisional applications on the non-elected claims.

The applicant respectfully requests an early examination on the elected claims and favorable action on the merits. If the Examiner has any questions with this Response, please feel free to call the undersigned at the indicated telephone number.